

Message Text

UNCLASSIFIED

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ACTION AF-05

INFO OCT-01 ADP-00 EB-05 RSC-01 RSR-01 /013 W

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R 141100 Z MAR 73

FM AMEMBASSY MOGADISCIO

TO MESSAGE CENTER, PEARL HARBOR, HAWAII

INFO SECSTATE WASHDC 632

AMEMBASSY NAIROBI

UNCLAS SECTION 1 OF 2 MOGADISCIO 0360

MESSAGE CENTER, PEARL HARBOR PLEASE PASS TO " AMELCO ENGINEER CO"

ATTN: C. GRIFFIN

NAIROBI FOR REDSO/ EA

E. O. 11652: N/ A

TAGS: EAID OGEN SO US

SUBJECT: AMELCO

1. YOUR MESSAGE OF 5 PARAGRAPHS RECEIVED AND I UNDERSTAND, BUT I CANNOT GET A CLEARANCE TO LEAVE EVEN TO NAIROBI UNTIL ALL DUE AND JUST BILLS AND TAXES ARE PAID. I DO NOT THINK SENDING CAUCH TO NAIROBI IS NECESSARY OR THAT IT WILL ACCOMPLISH ANYTHING. I SUGGEST SENDING THE MONEY THROUGH REGULAR CHANNELS.

2. I AM QUITE CONFIDENT THAT I WILL BE PERMITTED TO LEAVE WHEN ALL CURRENT LABOR AND BILLS ARE PAID THOUGH I AM CURRENTLY A HOSTAGE AGAINST POSSIBLE FUTURE ACTIONS. TO RESOLVE THIS THE FOLLOWING LETTER IS BEING SENT TO PRESIDENT SIAD.

3. QUOTE: DEAR MR. PRESIDENT: I AM THE VICE PRESIDENT OF THE AMELCO ENGINEERS COMPANY, WHICH HAS JUST COMPLETED THE INSTALLATION OF THE NEW MOGADISHU WATER SYSTEM UNDER CONTRACT TO THE WATER DEVELOPMENT AGENCY, I, AND MY COMPANY, ARE PROUD TO HAVE HAD A PART IN THIS PROJECT, WHICH NOW PROVIDES MOGADISHU WITH ONE OF THE FINEST AND MOST MODERN WATER SYSTEMS IN THE WORLD.

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I ARRIVED IN MOGADISHU A FEW WEEKS AGO TO ASSIST OUR LOCAL MANAGEMENT IN FINISHING UP THE AFFAIRS OF THE PROJECT IN SOMALIA. OUR WORK IS NOW COMPLETED. THE WATER SYSTEM IS COMPLETE AND IN FULL BENEFICIAL USE BY THE PEOPLE OF MOGADISHU. WE HAVE WORKED DILIGENTLY, NOT ONLY TO COMPLETE THE PROJECT, BUT TO SETTLE ALL PROBLEMS ON A CURRENT BASIS TO AVOID TROUBLES AFTER COMPLETION.

ONE OF THE PROBLEMS WHICH WE HAVE ENCOUNTERED WAS THE SURPRISE OF NUMEROUS CLAIMS FROM OUR EMPLOYEES WHEN THEY WERE TERMINATED AS THE WORK WAS COMPLETED. TO ASSIST US IN SOLVING THIS PROBLEM, THE MINISTRY OF LABOUR AND SPORTS APPOINTED A SPECIAL COMMITTEE COMPOSED OF REPRESENTATIVES FROM THE NATIONAL SECURITY SERVICE, THE WATER DEVELOPMENT AGENCY, THE PUBLIC RELATIONS OFFICE AND THE LOCAL GOVERNMENT.

THIS COMMITTEE INVITED ALL AMELCO EMPLOYEES, PAST AND CURRENT, TO PRESENT ANY CLAIMS THEY MAY HAVE TO THE COMMITTEE FOR DETERMINATION AND CONCILIATION. ALMOST 400 SUCH EMPLOYEES DID PRESENT CLAIMS. THE COMMITTEE WORKED LONG AND HARD IN A SINCERE EFFORT TO BE FAIR IN EVERY WAY IN THEIR DETERMINATIONS. THOUGH WE WERE AWARE THAT MANY OF THE CLAIMS WERE FALSE AND MERE FABRICATIONS WE DID NOT PROTEST ANY OF THE COMMITTEE'S DETERMINATIONS AND PAID EVERYONE IN FULL.

A PROBLEM HAS NOW ARISEN, HOWEVER, WHICH I BELIEVE DESERVES YOUR ATTENTION. FORMER EMPLOYEES WHICH DID NOT COME FORWARD WHEN INVITED BY THE COMMITTEE, OR WHO COULD NOT JUSTIFY THEIR CLAIMS TO THE COMMITTEE, HAVE NOW TAKEN THEIR CASE TO THE COURTS. THIS IS THEIR RIGHT THE SAME AS IT WOULD HAVE BEEN OUR RIGHT TO APPEAL THE COMMITTEE'S DECISIONS TO THE COURT AND WE CERTAINLY HAVE NO OBJECTION TO ANYONE PURSUING THEIR RIGHTS TO ANY LIMITS THEY DEEM NECESSARY.

THE PROBLEM IS THAT THE CLAIMANTS HAVE APPARENTLY PETITIONED THE COURT, AND THE COURT HAS APPARENTLY DETERMINED, THAT I PERSONALLY SHOULD BE DETAINED IN

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ACTION AF-05

INFO OCT-01 ADP-00 EB-05 RSC-01 RSR-01 /013 W

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R 141100 Z MAR 73

FM AMEMBASSY MOGADISCIO

TO MESSAGE CENTER, PEARL HARBOR, HAWAII

INFO SECSTATE WASHDC 633

AMEMBASSY NAIROBI

UNCLAS FINAL SECTION OF 2 MOGADISCIO 0360

SOMALI UNTIL THEIR CASE IS DETERMINED. THE ONLY CONCEIVABLE REASON FOR THIS IS THAT I AM TO BE IN EFFECT A HOSTAGE TO INSURE PAYMENT OF THEIR CLAIMS BY MY COMPANY IN THE EVENT THE COURT RULES IN THEIR FAVOR. WE DO NOT THINK THAT SUCH A PROCEDURE IS FAIR, REASONABLE OR NECESSARY.

AMELCO IS A REPUTABLE FIRM OF LONG STANDING AND HAS ALWAYS PAID THEIR JUST DEBTS WHEREVER IN THE WORLD THEY MAY BE. WE WOULD ALSO POINT OUT THAT UPON RECEIPT OF OUR CONTRACT WITH THE WATER DEVELOPMENT AGENCY WE FURNISHED A FAITHFUL PERFORMANCE AND PAYMENT BOND IN THE AMOUNT OF 2,500,000 U. S. DOLLARS IN CASE THE COMPANY SHOULD DEFAULT IN THE PAYMENT OF ANY JUST CLAIMS OR LEINS AGAINST THE PROJECT.

IN ADDITION, WE HAVE DESIGNATED A LOCAL ADVOCATE AS OUR LEGAL REPRESENTATIVE EMPOWERED TO SUE AND BE SUED IN THE NAME OF THE COMPANY. WE BELIEVE THAT THESE SAFEGUARDS SHOULD BE SUFFICIENT AND THAT IT SHOULD NOT BE NECESSARY TO DETAIN ME OR ANY OTHER MEMBER OF MY FIRM AGAINST THEIR WISHES TO INSURE PAYMENT.

AS I HAVE STATED, MY WORK IS FINISHED IN MOGADISHU FOR NOW AND IT IS MY DESIRE TO RETURN TO MY FAMILY AND THE MANY OTHER DUTIES FOR WHICH I AM RESPONSIBLE TO MY COMPANY. IT WAS MY DESIRE TO LEAVE LAST WEDNESDAY, 14 MARCH, BUT WAS TOLD THAT I WOULD NOT BE PERMITTED TO LEAVE. I NOW HAVE PLANE RESERVATIONS TO GO TO NAIROBI
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NEXT SUNDAY, 18 MARCH, TO TAKE CARE OF BUSINESS MATTERS THERE BEFORE PROCEEDING ON. I HOPE AND TRUST THAT YOU WILL GIVE MY PROBLEM YOUR MOST SERIOUS CONSIDERATION AND ALLOW ME TO PROCEED AS PLANNED. UNQUOTE.

4. RIGHT NOW I AM CONFIDENT THAT THIS LETTER WILL
SECURE PERMISSION FOR ME TO LEAVE PROVIDING CURRENT
ACCOUNTS ARE SETTLED, AND I DO NOT WANT TO CAUSE ANY
DIPLOMATIC UPSETS OR INTERNATIONAL INCIDENTS. HOWEVER,
IF YOU DO NOT RECEIVE A CALL FROM ME IN NAIROBI ON
SUNDAY, PLEASE TAKE WHATEVER STEPS YOU CAN TO SECURE MY RELEASE.

5. THE SITUATION IS QUITE CRITICAL AS FAR AS LOCAL
LABOR IS CONCERNED AND I URGE YOUR EARLY ACTION.

6. ADVISE MY WIFE THAT I WILL BE DELAYED, BUT YOU
CAN SKIP THE DETAILS.

LOORAM

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